LEO FRANK WRITES CARD IN REPLY TO JOSEPH M. BROWN

Ex-Governor’s Card on Frank Case in Augusta Chronicle

Brings Statement From Con-demned Man

FRANK SAYS BROWN IS PAYING POLITICAL DEBT

Gov. Brown’s Card, as Pub-lished in the Chronicle, to

Which Frank Replies, Is Re-produced Below

Leo M. Frank, from his cell in the Fulton County Tower Saturday night gave out the following signed statement, addressed to former Governor Joseph M. Brown, replying to an article contributed by the ex-Governor to the *Augusta Chronicle*:

Ex-Governor Joseph M. Brown:

I have read your remarkable attack upon me in the Augusta Chronicle. I use the word “remarkable” advisedly, for no ex-Governor of Georgia ever before used his influence in an effort to destroy the life of one of his fellow citizens. Indeed, it is difficult to see how any brave man could be induced to take the position you have.

I am helpless and in desperate straits. My wife and father and mother are in the depths of despair.

Why any man should wantonly and ruthlessly attack me, and, through me, them, must amaze the fair men and women of this State.

When I read that tirade—unfair, cruel and untruthful—I remembered that, when Prometheus was bound to the rocks, it was the vulture, and not the eagle, that struck its beak into his vitals.

The execution of the confessed murderer excites sympathy. The Sheriff does his duty because the law demands it, but he does it with sorrow; it is reserved to an ex-Governor of Georgia to

demand the execution of one who never harmed him, and who is pleading for further opportunity to show his innocence.

The excuse that you are defending the State cannot explain your letter. The State of Georgia needs no Defense. Her people are as generous and just as those of other States.

Deplorable and regrettable things can happen, and have happened, in Georgia just as they can happen, and have happened, in other States. There was a serious riot in Atlanta some years ago. It was condemned everywhere without, as well as within, the State, yet nobody raised the cry that Georgia was being slandered.

“MOB SPIRIT ABROAD.”

No sane man can praise the conduct of my trial. During it, things happened that always will be condemned. The mob spirit was abroad. Passion and prejudice was daily manifested in the very presence of the Court. Judge Roan was present and knew what took place, and himself certified, under his Oath of Office, to things that you, yourself, when you know them, will unhesitatingly condemn.

When prejudice and passion and the Spirit of the mob preside over a trial, such a trial will not likely meet the approval of the Country, and the wrong of such a trial is not met by the demagogic or sectional cry that the State is slandered.

Many of the wisest and best men of the Country feel that my trial was not a fair one. Many of the truest and best Georgians feel the same. Is it possible that such men must keep quiet and, by their silence, approve such a trial for fear that they will be called Slanderers of the State? Surely a protest against such a trial, within or without the State, can not excuse your thirst for blood, nor explain your fall from the dignity of an ex-Governor to the ranks of the Head Hunter.

Your tirade against me is a greater slander against the State than any possible criticism against my trial. What a spectacle! An

ex-Governor joining with unreserved approval, the mob who cry, crucify! crucify!

How can you know I am guilty? You did not attend a moment of the trial. Your opportunity to know the truth was not greater than that of any man in the United States who read the papers, such opportunity as Judge Roan. He heard every word of the evidence and saw every witness. And, after thus seeing and hearing, he asserted that he was not convinced of my guilt. Yet you, who heard no evidence and saw no witness, assert my guilt and urge my execution with a recklessness that must shock the fair, right thinking people of Georgia.

A HUMAN LIFE INVOLVED.

Few men would exhibit the self-confidence you show in your letter. Your dogmatism might be excused if the point at issue was the fate of a stray dog that was worrying the village, but how can any fair man excuse it when a human life is involved—when the heart strings of an innocent wife, father and mother are to be snapped?

You not only conclude beyond cavil the question of my guilt, but, from the same reckless certainty, fix my guilt from the evidence other than that of Conley. If you had any fair knowledge of the Case, you would know that some of the ablest lawyers of Georgia and elsewhere have studied the Record in my Case, and not one, after such study, has believed me guilty. I do not believe there is an able, fair lawyer in Georgia who would give it as his opinion that, apart from Conley, there was enough evidence to convict me.

It must be that when you so callously and brutally urged my immediate execution you were moved by other motives than that of State Defender.

Prejudice, passion and personal ambition have been known factors in my undoing. Your article is proof conclusive how great were these factors and to what extent you subscribe to them. Before this, it has been strongly suspected that politics had

played an important part. Since your remarkable letter, there can be no longer any doubt of it.

It is wrong that you should seek, at

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LEO FRANK WRITES CARD IN REPLY TO JOSEPH M. BROWN

(Continued from Page 1.)

the expense of my life, to pay back your political debts. It is a greater wrong if that can be, that you should hope, by my destruction and through the disgrace of my loved ones, to gain

back to your support that large class of voters that you have lately lost by violent abuse.

I have suffered much; simple good men have condemned me, but they have done so in sorrow. It has been reserved to you, to voluntarily, ignorantly, in passion and prejudice, to kick me on toward the gallows that you may lessen your political debts and again, if possible, some of the political ground you have lost.

LEO M. FRANK

January 2, 1915.

Gov. Brown's Card as Published in Chronicle

The card of ex-Governor Joseph M. Brown, to which the above is a reply, was published in the Augusta Chronicle Sunday, December 27. It is reproduced below in full:

Editor Augusta Chronicle.

Dear Sir: I cannot refrain from writing to express to you, as a Georgian, jealous of the good name of the State, my thanks for your Editorial in the Chronicle of December 15, under the Heading, "In Simple Defense of Georgia's Honor and Civilization."

The only material point in which I disagree with you is in the following words near the close of your Editorial:

"Therefore, we would, willingly sign a Petition asking the State Pardon Board and the Governor of Georgia to commute this man's sentence to life imprisonment, in the hope, but not in the expectation, that something, at some time, might arise to

establish his innocence of the awful crime—or even to throw further doubt upon his guilt.”

I disagree with you because I believe that the evidence sworn to before the Jury fixed the crime upon Leo M. Frank. I see no room, under that evidence, to place it upon any one else. I see no proper way for him to escape it. Therefore, I believe the Jury acted intelligently and honestly in finding him guilty.

If ever a murder was so repulsively atrocious as to call for the hanging of the Perpetrator of it, is the murder of little Mary Phagan calls for the hanging of the man the Jury found guilty of the awful deed.

Much has been said of the Negro Conley; and those who plead for the defeat of the law would have us believe that Frank was convicted on his evidence; but, if any intelligent person will read the evidence, he will see that Frank was proven guilty of this horrid crime independently of the Negro’s testimony.

Now, as to Conley’s evidence. He admitted that he made Affidavits clearing Frank. He naively declared that he had done that to save Mr. Frank, his employer, who had been kind to him. But he added that when he found that Mr. Frank was trying to fix the crime on him (Conley) he determined to tell the truth about the matter.

We Southern people, who understand the Negro, can readily give the proper value to Conley’s several Affidavits and his testimony in Court, and determine when he told the truth.

But why the extraordinary interest in this Case, outside of the State of Georgia? Apparently, there is no reason for it except that Leo Frank is a Jew, since the agitation in question is headed by newspapers owned or influenced by Jews.

Are we to understand that anybody except a Jew can be punished for crime? Are we to understand that Georgia can be left free to execute her laws until she convicts a Jew, and that then her process must be held up and defeated? If so, Georgia will

soon become the exploiting ground of every Jew who is criminally inclined.

This certainly seems the logic of the contention of the newspapers and other parties outside of Georgia who are defaming the State and her Courts and people.

And allow me to say that leading Jews of Atlanta have made themselves responsible for a heavy burden in this matter.

Leo Frank, before little Mary Phagan was murdered, was President of the Jewish Benevolent Society of the B'nai B'rith. After he had been convicted of this atrocious murder, the members of the Jewish society re-elected him as their President!

Thus, they openly flung down their defiance of the State and her laws. Thus, they publicly made the issue that, no matter how infamous his crime, the Jews held a Jew above the law.

A day or so after their action. *The Atlanta Constitution* quoted a prominent Jew as expressing his amazement that his race had, by this act, placed itself in so extraordinary a position of contempt and defiance of the State and her Authority. All honor to this conscientious, law-abiding, and discerning Jew!

And, while on this phase of the Subject, I note that Mr. Samuel H. Myers, one of your Augusta Jews, in arguing that Frank was convicted because of prejudice against him as a Jew, reminds you of the fact that people in Atlanta referred to him as "that damned Jew."

But, if Frank had been a Mexican, they would have designated him "that damned Mexican;" if he had been a Hindoo they would have called him "that damned Indian;" if he had been a Hollander they would have called him "that damned Dutchman."

As a matter of fact, the people were condemning Frank because the sworn testimony was proving him guilty of this most horrible double crime against the little innocent shop girl, not because he was a Jew.

As a rule, there are no people who live within the law more closely than do the jews; and they deserve the highest esteem of all classes, and, I believe, they get it; but this fact does not operate to free anyone of that race from punishment for crime if he commits crime. It does not mean that Georgia every year hangs men of any other race, but that Jews are perpetually immune from hanging within her borders.

Now, as to the movement, organized outside of the State of Georgia, to defeat the Operation of her laws, let me call your attention to the fact that the trial court convicted Frank of this murder; the Supreme Court of Georgia held that there was evidence sufficient to justify the verdict; the Supreme Court of the United States refused to overrule or interfere with the action of the state courts. Furthermore, the Case has been before the trial Court (Judge) three times and before the State's Supreme Court two times.

Therefore, we have the spectacle of Parties outside of Georgia, who never heard and have not read the sworn evidence, assuming to dictate to the State and to say what she should do in her orderly process of law.

It is said that in New York a Petition is being circulated, which will have 50,000 signatures, praying Governor Slaton to prevent the sentence of the law being executed on Leo Frank.

It is safe to say that not one of these 50,000 signers has read the evidence sworn to, in the trial in question. The same can be said of all other parties outside of Georgia who are trying to bring pressure upon the governor of Georgia in this case.

And I will add that every week, I am receiving letters of similar import from parties in other States who are ignorant of the fact that I am no longer Governor of the State. The tenor of these letters is one of reproach to me and to the State that we are about to commit a crime in letting the laws of Georgia be enforced against the man who has been convicted of the murder of Mary Phagan.

I believe it is needless to assert that, if Governor Slaton desired it, there could be secured a Petition signed by more than 250,000 Georgians, urging him to let his Oath of Office be his Guide in the determination of this Case, and to pay no attention to the attempts of parties outside of the state to coerce him in his Course of Duty.

But, in common with the masses of the responsible people of Georgia, I am sure that we can leave this case in Governor Slaton's hands, with no Counter Petition or suggestion. He will undoubtedly be governed by the sworn evidence, and by his Oath.

I have no selfish interest in the deplorable Case under Review, and, until this crusade was organized against the fair fame of our State and the integrity of her laws, I have scarcely spoken of the horrible occurrence which destroyed the life of the innocent little shop girl; but, as a Citizen of Georgia, who has been twice honored by her people with the highest Office in their gift, and who believes that in the impartial and inflexible enforcement of the laws is the surest protection of our Civilization, I have now felt impelled to write, indorsing your Defense of the State and her good name, and to join you in the honest conviction that her laws have been administered with the Oaths of responsible Officials, and not waved aside before the fiat of uninformed people of other States, must fix the course she will pursue in safeguarding the Security of her good people.

And I will repeat my positive belief that the trial Jury and the successive Courts have made no mistake in naming the real perpetrator of this awful crime. No people had such opportunities as they, for determining the truth. No people were farther than they from the desire or will to fasten the crime upon any but the man who was guilty.

Let us be candid enough and bold enough to uphold those who have conscientiously, firmly and intelligently vindicated our civilization. Our duty is to the law, to those who obey and enforce

it, not to those who outrage it, nor to those who would bring it into contempt.

I would that the press throughout Georgia had the courage to defend the state and the correctness of her process as ably and fearlessly as you have done.

Very truly yours,

JOSEPH M. BROWN.
Marietta, Ga., Dec. 19, 1914."